

PTO/SB/21 (02-04)

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application Number	10/033,317
		Filing Date	December 28, 2001
		First Named Inventor	S. Bolz et al.
		Art Unit	2511
		Examiner Name	N. Vu
Total Number of Pages in This Submission	27	Attorney Docket Number	PU010323

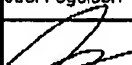
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Before the Board of Patent Appeals and Interferences

APR 16 2005

Applicant : Steve Craig Bctz et al.  
Serial No. : 10/033,317  
Filed : December 28, 2001  
For : Method for Displaying EPG Video-Clip Previews on Demand  
Examiner : Vu, Ngoc K  
Art Unit : 2611

**APPEAL BRIEF**

May It Please The Honorable Board:

This is Appellants' Brief on Appeal from the final rejection of claims 1-7, 9-17, 19 and 20. Please charge the \$500.00 fee for filing this Brief to Deposit Account No. 07-0832. Appellants waive an Oral Hearing for this appeal.

Please charge any additional fee or credit overpayment to the above-indicated Deposit Account. Enclosed is a single copy of the Brief.

**I. REAL PARTY IN INTEREST**

The real party in interest of Application Serial No. 10/033,317 is the Assignee of record:

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## **II. RELATED APPEALS AND INTERFERENCES**

There are currently, and have been, no related Appeals or Interferences regarding Application Serial No. 10/033,317 known to the undersigned attorney.

## **III. STATUS OF THE CLAIMS**

Claims 1-7, 9-17, 19 and 20 are rejected and the rejection of claims 1-7, 9-17, 19 and 20 are appealed.

## **IV. STATUS OF AMENDMENTS**

All amendments were entered and are reflected in the claims included in Appendix I.

## **V. SUMMARY OF CLAIMED SUBJECT MATTER**

Independent claim 1 recites an interactive television/broadcast system (Fig. 1). The system includes a display screen (Fig. 1, 18 / page 2, lines 32-33) and an electronic program guide (Fig. 1, 12). The electronic program guide (EPG) has at least one display window (Fig. 1, 20 A) and a grid guide (Fig. 1, 14). The grid guide includes a plurality of program titled cells displayed on the display screen (Page 3, lines 1-10). The EPG displays a video-clip preview in the at least one display window on demand by automatically launching the video clip preview after browsing

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and navigating through the grid guide to highlight a program titled cell and remaining at the highlighted program titled cell for a predetermined delay (Fig. 3, Step 106 and Step 112 / Page 3, lines 11-17 and Page 4, lines 7-29). The launching of the video clip preview is inhibited if a program corresponding to the video clip preview and corresponding to the highlighted program titled cell is restricted according to a user profile based parental control (Page 6, lines 17-25).

Independent claim 10 recites a method of displaying video-clip previews on demand (Fig. 3). The first step displays, on a display screen, an electronic program guide (EPG) having at least one display window and a grid guide (Fig. 3, Step 102 / Page 4, lines 8-9). The grid guide includes a plurality of program titled cells. The second step comprises browsing through the grid guide (Fig. 3, Step 104 / Page 4, lines 10-11). During the browsing step, program titled cells are highlighted (Fig. 3, Step 106 / Page 4, lines 13-15). During the highlighting step, a video clip preview is automatically displayed in the at least one display window after the highlighted programmed titled cell remains highlighted for a predetermined delay (Fig. 3, Step 112, 114, 116 and 118 / Page 4, lines 22-29 and Page 5, lines 5-11). The display of the video clip preview is inhibited if a program corresponding to the video clip preview and corresponding to the highlighted program titled cell is restricted according to a user profile based parental control (Page 6, lines 17-25).

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## VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The Examiner has rejected claims 1, 10, 19 and 20 as being anticipated under 35 USC 103(a) by Schein et al. (US 6,075,575 A) in view of Bruette et al. (US 5,828,419 A).

The Examiner has rejected claims 2-5 and 11-14 as being unpatentable under 35 USC 103(a) over Schein et al. in view of Bruette et al. and further in view of Rowe et al. (US 5,812,123 A).

The Examiner has rejected claims 6, 7, 9 and 15-17 as being unpatentable under 35 USC 103(a) over Schein et al. in view of Bruette and Rowe and further in view of Reynolds (US 6,563,515).

## VII. ARGUMENT

Schein et al. when taken alone or in any combination with Bruette et al., Rowe et al., and Reynolds neither anticipates nor makes unpatentable the present claimed invention. Thus, reversal of the Final Rejection (hereinafter termed "rejection") of claims 1-7, 9-17, 19 and 20 under 35 U.S.C. 103(a) is respectfully requested.

### Overview of the Cited References

Schein et al. disclose "a program area 126 depict[ing] the currently tuned program and a preview window area 128 [which] can be used for all types of promotional, descriptive, or contextual video or graphics, such as a short preview of the show that is currently being highlighted in show matrix 106" (see Col. 9, lines 38-43).

Bruette et al. disclose "an apparatus for generating an on-screen television program guide. The apparatus generates a program guide including program source

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information and program event information for a plurality of program sources; and means for generating icons to be displayed adjacent the program event information. The icons function to...easily identify if a program or channel has been restricted from viewing” (see Col. 1, line 58 – Col. 2, line 3).

Rowe et al. disclose “a system for retrieving and displaying programming information in response to selection of a category of programming information” (Col. 1, lines 12-15). A “preferred program summary panel 90 includes a preview section...show[ing] actual broadcast video data [and]...synchronized audio data” (see Col. 14, lines 24-31).

Reynolds et al. disclose “an interactive television program guide system with a video window capability. The viewer may direct the program guide to display a program guide video window that contains video for a program currently being broadcast on another channel or a video clip of a program to be shown sometime in the future” (see Col. 2, lines 30-35).

**Rejection of Claims 1, 10, 19 and 20 under 35 USC 103(a)**  
**over Scheinet al. (US 6,075,575 A) in view of Bruette et al. (US 5,828,419 A).**

In rejecting claims under 35 U.S.C. § 103, it is incumbent upon the examiner to establish a factual basis to support the legal conclusion of obviousness. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596, 1598 (Fed.Cir. 1988). In so doing, the Examiner is expected to make the factual determinations set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 17, 148 USPQ 459, 467 (CCPA 1966), and to provide a reason why one

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having ordinary skill in the pertinent art would have been led to modify the prior art or to combine prior art references to arrive at the claimed invention. Such reason must stem from some teaching, suggestion, or implication in the prior art as a whole or knowledge generally available to one having ordinary skill in the art. *Uniroya, Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 1051, 5 USPQ2d 1434, 1438 (Fed.Cir. 1988), *cert. denied*, 488 U.S. 825 (1988); *Ashland Oil Inc. v. Delta Resins & Refractories, Inc.*, 776 F.2d 28, 293, 227 USPQ 657, 664 (Fed.Cir. 1985), *cert. denied*, 475 U.S. 1017 (1986); *ACS Hosp. Sys., Inc. v. Montefiore Hosp.*, 732 F.2d 1572, 1577, 221 USPQ 929, 933 (Fed.Cir. 1984). These showings by the Examiner are an essential part of complying with the burden of presenting a *prima facie* case of obviousness. *In re Oetiker*, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed.Cir. 1992).

#### CLAIMS 1 and 10

Reversal of the rejection of claims 1, 10, 19 and 20 under 35 U.S.C. 103(a) as being unpatentable over Schein et al. in view of Brucette et al. is respectfully requested. The rejection erroneously states that claims 1, 10, 19 and 20 are unpatentable over Schein et al. in view of Bruette et al. for the reasons discussed herein below.

Specifically, Schein et al. discloses an interactive television schedule information system. A program area window and a second preview window are located beside the listing grid and display the currently tuned program in the first window and information (description, video or graphics) of the highlighted show in the second window. The video data in the program area window of the currently tuned program

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may be a direct representation and therefore subject to the rules and restrictions of the original broadcast. However, the data in the preview window is a data representation of the highlighted program. Schein et al. neither disclose nor suggest "launching of the video clip preview is inhibited if a program corresponding to the video clip preview and corresponding to the highlighted program titled cell is restricted according to a user based parental control" as in the present claimed invention. Rather, Schein et al. disclose a preview whose data represents the actual program and is displayed to the user without consideration of ratings and limits applied to the current viewing system.

Bruette et al. disclose a television program guide with icons. A lock icon is displayed alongside a title name in the grid guide if a program has been restricted according to a rating setting by the user. The Examiner suggests that restricting the preview video data would have been obvious in view of the above icon. Applicant respectfully disagrees. Rather, the purpose of the lock icon is to notify the user of the restriction of the corresponding broadcast video. Unlike the present claimed invention, Bruette et al. similarly to Schein et al., is not concerned with displaying current program data and video preview data along with the electronic program guide. Additionally, preview video data denotes data associated with the highlighted program. The preview data may be in the form of promotional video or other video representing the content of the program. The preview video data of the present claimed invention is not the video data of a selected channel, as in Bruette et al. The preview video data of the present invention contains a unique data composition over the video program data of a selected channel. Therefore, as preview data is not the equivalent of video program data, the preview data in the present invention cannot be restricted in the



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manner disclosed by Bruette et al. Additionally, Bruette et al., similarly to Schein et al., neither disclose nor suggest that the “launching of the video clip preview is inhibited if a program corresponding to the video clip preview and corresponding to the highlighted program titled cell is restricted according to a user profile based parental control”. In fact, Bruette et al. neither disclose nor suggest display of a video clip preview let alone inhibiting the launching of the display of the video clip preview if “a program corresponding to the video clip preview and corresponding to the highlighted program titled cell is restricted according to a user profile based parental control” as in the present claimed invention. Therefore, it would not have been obvious to restrict preview video data relating to the highlighted program block in view of the lock icon which denotes the restriction of a selected program data as disclosed by Bruette et al.

Furthermore, there is no reason or motivation to combine the system of Schein et al. with the system of Bruette et al. Schein et al. disclose a system for simultaneously displaying an electronic program grid, currently tuned video data and preview data of a highlighted program block. This system allows a user to obtain the maximum amount of data relating to a specific highlighted program while still viewing the current program. On the other hand, Bruette et al. is directed towards an electronic program guide which includes a lock icon alongside a program title denoting the restriction of the program. This system allows a user to easily identify the status, previously set by the user, of a particular program. Schein et al. provides additional information about a program whereas Bruette et al. merely display the status of the program according to a previously set rating scheme. As Schein et al. and Bruette et al. are concerned with two unrelated objectives and provide two unrelated solutions to their respective objectives

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it is respectfully submitted that there is no reason or motivation to combine these two systems.

However, even if one were to combine these two systems, the combination of these systems would result in an electronic program guide simultaneously displaying a grid guide with a lock icon alongside restricted programs, a current program window displaying currently viewed video data and a preview window displaying preview data associated with a highlighted program block. This combination neither discloses nor suggests the "launching of the video clip preview is inhibited if a program corresponding to the video clip preview and corresponding to the highlighted program titled cell is restricted according to a user based parental control" as in the present invention.

The present invention, as claimed in claims 1 and 10, launches a video clip preview "wherein the launching of the video clip preview is inhibited if a program corresponding to the video clip preview and corresponding to the highlighted program titled cell is restricted according to a user based parental control". The video clip preview is comparable to the previews currently available to on demand programs. The previews, though representative of a corresponding program, do not contain all the same content of the corresponding program. The user based parental controls include user profiles. Each profile contains a respective restriction limit for each user, restricting specific content levels. The video clip preview is restricted based on the restriction of its corresponding program and ignores the video clip preview's individual content (Page 6, lines 17-25).

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This is entirely different than the systems disclosed by either of Schein et al. and disclosed in Bruette et al. Schein et al. provide an electronic program guide which is displayed simultaneously with the current program and preview data for a highlighted program. Though Schein et al. would restrict the current program video based on parental control, Schein et al. are not concerned with the content of the preview data and imposing a restriction thereupon. Schein et al. assume all preview data to be of an acceptable nature, not needing restriction. Bruette et al. provide an electronic program guide with a lock icon. Bruette et al. are concerned with the restriction of the current video program data based on its content compared with a set rating system. Bruette et al. are not concerned with the preview data let alone the content of the preview data. Moreover, even if Bruette et al. would disclose a preview data window, as in Schein et al., the preview data window would not be restricted but rather the restriction would apply to the regular program video data. Schein et al. and Bruette et al. when taken alone or in combination neither disclose nor suggest that "the video clip preview is inhibited if a program corresponding to the video clip preview and corresponding to the highlighted program titled cell is restricted according to a user based parental control" as claimed in the present invention.

#### Claims 19 and 20

Dependent claims 19 and 20 include all the limitations contained in Independent claims 1 and 10, respectively. These claims further recite that the predetermined delay is 1 second.

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Applicant respectfully submits that all arguments presented above regarding claims 1 and 10 are applicable to claims 19 and 20 and are incorporated herein. Additionally, as Schein et al. and Bruette et al. neither disclose nor suggest the "launching of the video clip preview is inhibited if a program corresponding to the video clip preview and corresponding to the highlighted program titled cell is restricted according to a user based parental control" these references could not disclose nor suggest a predetermined delay of 1 second for display or inhibiting display of the video clip preview. Thus, Applicant respectfully submits that because claims 19 and 20 are dependent on claims 1 and 10, claims 19 and 20 are patentable for the same reasons as discussed above regarding claims 1 and 10.

In view of the above remarks, it is respectfully submitted that there is no 35 USC 112 enabling disclosure contained within Schein et al. when taken alone or in combination with Bruette et al. that makes the present invention as claimed in independent claims 1 and 10 unpatentable. As claims 19 and 20 are dependent on independent claims 1 and 10, Applicant respectfully submits that claims 19 and 20 are also not anticipated by Schein et al. in view of Bruette et al. Therefore, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

**Rejection of Claims 2-5 and 11-14 under 35 USC 103(a) over  
over Schein et al. (US 6,075,575 A) in view of Bruette et al. (US 5,828,419 A) and  
further in view of Rowe et al. (US 5,812,123 A).**

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Reversal of the rejection of claims 2-5 and 11-14 under 35 U.S.C. 103(a) as being unpatentable over Schein et al. in view of Bruette et al. and further in view of Rowe et al. is respectfully requested. The rejection erroneously states that claims 2-5 and 11-14 are obvious in view of Schein et al. in view of Bruette et al. and further in view of Rowe et al. for the reasons discussed herein below.

#### Claims 2-5 and 11-14

The present invention inhibits the "launching of the video clip preview...if a program corresponding to the video clip preview and corresponding to the highlighted program titled cell is restricted according to a user based parental control". Schein et al. disclose a program area window and a second preview window, located beside the listing grid, which display the currently tuned program in the first window and information (description, video or graphics) of the highlighted show in the second window. However, Schein et al. neither disclose nor suggest that the "launching of the video clip preview if a program corresponding to the video clip preview and corresponding to the highlighted program titled cell is restricted according to a user based parental control" as claimed in independent claims 1 and 10 of the present invention. Rather, Schein et al. disclose a preview window whose data represents the actual program and is displayed to the user without consideration of the ratings and limits applied to the current viewing system.

Bruette et al. disclose a lock icon which is displayed alongside a title name in the grid guide. The purpose of the lock icon is to notify the user of the restriction of the corresponding broadcast video. Bruette et al., similarly to Schein et al., neither

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disclose nor suggest that the “if a program corresponding to the video clip preview and corresponding to the highlighted program titled cell is restricted according to a user based parental control” as claimed in independent claims 1 and 10 of the present invention. In fact, Bruette et al. is not concerned with preview video data as in the present invention and Schein et al. Furthermore, the blocking provided by Bruette et al. is based upon the content of the played video program.

Rowe et al. disclose a system for retrieving and displaying programming information in response to selection of a category of programming information. The programming information includes a preview section, a text description section and synchronized audio. Although Rowe et al. disclose a preview section with synchronized audio, Rowe et al., similarly to Schein et al. and Bruette et al., when taken alone or in combination neither disclose nor suggest inhibiting the preview data “if a program corresponding to the video clip preview and corresponding to the highlighted program titled cell is restricted according to a user based parental control” as claimed in claims 1 and 10 of the present invention.

Dependent claims 2-5 and 11-14 are dependant on Independent claims 1 and 10, respectively, and thus include all the limitations contained therein. Applicant respectfully submits that all arguments presented above as they relate to claims 1 and 10 are also applicable to claims 2-5 and 11-14 and are incorporated herein. Therefore, Applicant respectfully submits that that claims 2-5 and 11-14 are patentable for the same reasons as discussed above regarding claims 1 and 10.

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In view of the above remarks presented above regarding claims 1 and 10, it is respectfully submitted that as claims 2-5 and 11-14 are dependent on claims 1 and 10, respectively, that claims 2-5 and 11-14 are patentable for the same reasons discussed above regarding claims 1 and 10. Therefore, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

**Rejection of Claims 6, 7, 9 and 15-17 under 35 USC 103(a) over  
over Schein et al. (US 6,075,575 A) in view of Bruette et al. (US 5,828,419 A) and  
Rowe et al. (US 5,812,123 A) and further in view of Reynolds et al. (US  
6,563,515).**

Reversal of the rejection of claims 6, 7, 9 and 15-17 under 35 U.S.C. 103(a) as being unpatentable over Schein et al. in view of Bruette et al. and Rowe et al. and further in view of Reynolds et al. is respectfully requested. The rejection erroneously states that claims 6, 7, 9 and 15-17 are obvious over of Schein et al. in view of Bruette et al. and Rowe et al. and further in view of Reynolds et al. Applicant for the reasons discussed herein below.

**CLAIMS 6, 7, 9 and 15**

Reynolds et al. disclose an interactive television program guide in which a user may direct a television to simultaneously display a select television program, a program guide and a program guide video. Although Reynolds et al. disclose a simultaneous display of a television program, guide and program guide video,

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Reynolds et al., similarly to Schein et al., Brulette et al. and Rowe et al., neither disclose nor suggest inhibiting the preview data "if a program corresponding to the video clip preview and corresponding to the highlighted program titled cell is restricted according to a user based parental control" as claimed in claims 1 and 10 of the present invention.

Dependent claims 6, 7, 9 and 15 include all the limitations contained in Independent claims 1 and 10, respectively. Applicant respectfully submits that all arguments presented above regarding claims 1 and 10 are applicable to claims 6, 7, 9 and 15 and are incorporated herein. Thus, Applicant respectfully submits that because claims 6, 7, 9 and 15 are dependent on claims 1 and 10 that claims 6, 7, 9 and 15 are patentable for the same reasons as discussed above regarding claims 1 and 10.

In view of the above remarks presented above regarding claims 1 and 10, it is respectfully submitted that as claims 6, 7, 9 and 15 are dependent on claims 1 and 10, respectively, claims 6, 7, 9 and 15 are patentable for the same reasons discussed above regarding claims 1 and 10, respectively. Therefore, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

### VIII CONCLUSION

Schein et al. neither disclose nor suggest automatically launching the video clip preview "wherein the launching of the video clip preview is inhibited if a program corresponding to the video clip preview and corresponding to the highlighted



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program titled cell is restricted according to a user based parental control" as claimed in claims 1-7, 9-17, 19 and 20 of the present invention.

Furthermore, neither Schein et al., Bruette et al., Rowe et al nor Reynolds et al., when taken alone or in any combination disclose or suggest automatically launching the video clip preview "wherein the launching of the video clip preview is inhibited if a program corresponding to the video clip preview and corresponding to the highlighted program titled cell is restricted according to a user based parental control" as claimed in claims 1-7, 9-17, 19 and 20 of the present invention.

Accordingly it is respectfully submitted that Claims 1-7, 9-17, 19 and 20 are patentable in view of Schein et al, Bruette et al and Reynolds et al., when taken alone or in combination, and that the rejections of claims 1-7, 9-17, 19 and 20 are satisfied and should be withdrawn.

Respectfully submitted,  
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**APPENDIX I - APPEALED CLAIMS**

1. (Previously Presented) An interactive television/broadcast system comprising:

a display screen;

an electronic program guide (EPG) having at least one display window and a grid guide, the grid guide including a plurality of program titled cells displayed on the display screen, wherein the EPG displays a video-clip preview in the at least one display window on demand by automatically launching the video clip preview:

(1) after browsing and navigating through the grid guide to highlight a program titled cell, and

(2) after remaining at the highlighted program titled cell for a predetermined delay,

wherein the launching of the video clip preview is inhibited if a program corresponding to the video clip preview and corresponding to the highlighted program titled cell is restricted according to a user profile based parental control.

2. (Original) The system according to Claim 1, wherein the at least one display window includes a first display window for displaying a currently tuned program and a second display window for displaying the video clip preview wherein an audio track of the video clip preview is heard.

3. (Original) The system according to Claim 2, wherein the second display window immediately displays a still image of the video clip preview if the video clip

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preview is available for the highlighted program titled cell prior to the display of the video clip preview.

4. (Original) The system according to Claim 2, wherein the at least one display window displays a loading message or icon representative of an imminent video clip preview.

5. (Original) The system according to Claim 2, further comprising a remote control device, the remote control device having means for navigating to the at least one display window and selecting the at least one display window to display the video clip preview on the display screen.

6. (Original) The system according to Claim 1, further comprising a remote control device, the remote control device including:  
navigation buttons for navigating and browsing through the grid guide; and,  
a preview button for selecting to display the video clip preview on the display screen.

7. (Original) The system according to Claim 6, wherein the remote control device further includes a record button for recording a program, the program having associated therewith a video clip preview adapted to be displayed on the at least one display window.

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9. (Original) The system according to Claim 1, wherein those program titled cells of the plurality of program titled cells having associated therewith a video clip preview are distinguished in appearance from other program titled cells not having an associated video clip preview to indicate the availability of the video clip preview.

10. (Previously Presented) A method of displaying video-clip previews on demand comprising the steps of:

displaying, on a display screen, an electronic program guide (EPG) having at least one display window and a grid guide, the grid guide including a plurality of program titled cells;

browsing through the grid guide;

during the browsing step, highlighting a program titled cell; and, during the

highlighting step, automatically displaying a video clip preview in the at least one display window after the highlighted programmed titled cell remains highlighted for a predetermined delay, wherein the display of the video clip preview is inhibited if a program corresponding to the video clip preview and corresponding to the highlighted program titled cell is restricted according to a user profile based parental control.

11. (Original) The method according to Claim 10, wherein the at least one display window includes a first display window and a second display window; and further comprising the steps of:

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displaying in the first display window a currently tuned program; and  
displaying in the second display window the video clip preview;  
playing an audio track of the video clip preview simultaneously with  
the displaying step of the video clip preview.

12. (Original) The method according to Claim 11 further comprising the step of prior to the step of displaying the video clip preview, displaying in the second display window a still image of the video clip preview if the video clip preview is available for the highlighted program titled cell.

13. (Original) The method according to Claim 11, further comprising the step of displaying in the at least one display window a loading message or icon representative of an imminent video clip preview.

14. (Original) The method according to Claim 11, further comprising the step of navigating to the at least one display window and selecting the at least one display window to display the video clip preview on the display screen.

15. (Original) The method according to Claim 10, further comprising the step of selecting a preview button and displaying the video clip preview on the display screen.

16. (Original) The method according to Claim 10, further comprising the step of selecting a record option for recording a program, wherein the program has

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associated therewith a video clip preview adapted to be displayed on the at least one display window and wherein the selecting may be performed during or after playing of the video clip preview.

17. (Original) The method according to Claim 16, wherein the recording option may record the program associated with the video clip preview scheduled to be broadcast in the future or at a present time.

18. (Cancelled)

19. (Previously Presented) The system according to Claim 1, wherein the predetermined delay is at least one second.

20. (Previously Presented) The system according to Claim 10, wherein the predetermined delay is at least one second.

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**APPENDIX II - EVIDENCE**

Applicant relies on no evidence other than the arguments presented hereinabove.

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**APPENDIX III - RELATED PROCEEDINGS**

Applicant respectfully submits that there are no related proceedings in this present application.



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**APPENDIX IV - TABLE OF CASES**

1. *In re Fine*, 5 USPQ 2d 1600, (Fed Cir. 1988)
2. *ACS Hospital Systems Inc v. Montefiore Hospital*, 221 USPQ 929,933  
(Fed. Cir. 1984)
3. *Graham v. John Deere Co.*, 383 U.S. 1, 17, 148 USPQ 459, 467 (CCPA 1966)
4. *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 1051, 5 USPQ2d 1434,  
1438  
(Fed.Cir. 1988), *cert. denied*, 488 U.S. 825 (1988)
5. *Ashland Oil Inc. v. Delta Resins & Refractories, Inc.*, 776 F.2d 28, 293, 227  
USPQ  
657, 664 (Fed.Cir. 1985), *cert. denied*, 475 U.S. 1017 (1986)

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**APPENDIX V - LIST OF REFERENCES**

<b><u>U.S. Pat. No.</u></b>	<b><u>Issued Date</u></b>	<b><u>102(e) Date</u></b>	<b><u>Inventors</u></b>
6,075,575	Jun. 13, 2000		Schein et al.
5,828,419	Oct. 27, 1998		Bruette et al.
5,812,123	Sep. 22, 1998		Rowe et al.
6,563,515 B1	May. 13, 2003		Reynolds et al.

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